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## DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-APOPTOTIC Mc1-1 VARIANT** the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on January 14, 2000 (Attorney Docket No. DART1110-1)  
as U.S. Application Serial No. 09/483,184

and was amended on \_\_\_\_\_ (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/166,113                      November 16, 1999  
(Application Serial No.)      (Filing Date)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 365 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America or any PCT international application(s) designating the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
_____	_____	_____	_____

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the

filing date of the prior application and the national or PCT International filing date of the Application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Ruth W. Craig

Inventor's signature: Ruth W. Craig

Date: Jan 27, 2000

Residence: West Lebanon, New Hampshire

Citizenship: USA

Post Office Address: 3 Longwood Lane, West Lebanon, New Hampshire 03784

Full name of second inventor: Colin D. Bingle

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Residence: West Yorkshire, United Kingdom

Citizenship: United Kingdom

Post Office Address: 21 Stoneley Drive, Sheffield, S12 3JS, West Yorkshire, United Kingdom



Filing date of the prior application and the national or PCT International filing date of the Application:

(Application Serial No.)

**(Filing Date)**

**(Status)**

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Ruth W. Craig

**Inventor's signature:**

Date:

**Residence:** West Lebanon, New Hampshire

**Citizenship:** USA

Citizenship: USA

Post Office Address: 3 Longwood Lane, West Lebanon, New Hampshire 03784

Full name of second inventor: Colin D. Bingle

**Inventor's signature:**

**Date:**

Residence: <sup>CRIS</sup> Yorkshire, United Kingdom

**Citizenship:** United Kingdom

**Citizenship:** United Kingdom

**Post Office Address:** 21 Stoneley Drive, Sheffield, S12 3JS, Yorkshire, United Kingdom

011422737623

Full name of third inventor: Moira Whyte

Inventor's signature: M. WhyteDate: 11th February 2000Residence: UKW West Yorkshire, United Kingdom

Citizenship: United Kingdom

Post Office Address: UKW 19 Cavendish Avenue, Sheffield, S17 3NJ, ~~West~~ Yorkshire, United Kingdom



In re Application of:  
Ruth W. Craig et al.  
Application No.: 09/483,184  
Filed: January 14, 2000  
Page 2

PATENT  
Attorney Docket No.: DART1110-1

I hereby authorize and request insertion of the application number of the  
Application when officially known.

Direct all telephone calls to:

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Telephone: (858) 677-1456

Address all correspondence to:

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GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121

**DARTMOUTH COLLEGE**  
a New Hampshire corporation

By:

Name:

Title:

Date:

  
John F. Kavanagh, Ph.D.

Director

Office of Grants & Contracts

1/25/00



PATENT  
Attorney Docket No.: DART1110-1

In re Application of: )  
Ruth W. Craig et al. )  
 )  
Application No.: 09/483,184 )  
 )  
Filed: January 14, 2000 )  
 )  
For: Mc1-1 GENE REGULATORY )  
ELEMENTS AND A PRO- )  
APOPTOTIC Mc1-1 VARIANT )  
 )  
 )  
 )

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POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the  
Application and to transact all business in the United States Patent and Trademark Office  
connected therewith:

JOSEPH R. BAKER  
TIM ELLIS  
LISA A. HAILE  
WILLIAM N. HULSEY, III  
RICHARD J. IMBRA  
SHEILA R. KIRSCHENBAUM  
JUNE M. LEARN  
TIMOTHY W. LOHSE  
TERRANCE A. MEADOR  
JOHN OSKOREP  
STEPHEN E. REITER  
STEVEN R. SPRINKLE  
RAMSEY R. STEWART  
DAVID R. STEVENS  
BARRY N. YOUNG

Registration No. 40,900  
Registration No. 41,734  
Registration No. 38,347  
Registration No. 33,402  
Registration No. 37,643  
Registration No. 44,835  
Registration No. 31,238  
Registration No. 35,255  
Registration No. 30,298  
Registration No. 41,234  
Registration No. 31,192  
Registration No. 40,825  
Registration No. 38,322  
Registration No. 38,626  
Registration No. 27,774

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Address all correspondence to:

LISA A. HAILE, PH.D.  
GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, CA 92121

**UNIVERSITY OF SHEFFIELD**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

*RA Exley*

Dr. RICHARD ANTHONY EXLEY

7 February 2000

Intellectual Property and  
Technology Transfer Manager

Attorney Docket No.: DART1110-

Applicant: Ruth W. Craig et al.

Serial No.: 09/483,184

Filed: January 14, 2000

Title: **Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-APOPTOTIC Mc1-1 VARIANT**



*Handwritten signature/initials*

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION:  
ADDRESS OF ORGANIZATION

**DARTMOUTH COLLEGE**  
11 Rope Ferry Road, #6210  
Hanover, New Hampshire 03755-1404

**TYPE OF ORGANIZATION**

- ☒ University or other Institution of Higher Education  
☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3))  
☐ Nonprofit Scientific or Educational under Statute of State of the United States of America (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3)) if located in the United States of America  
☐ Would qualify as nonprofit Scientific or Educational under Statute of State of the United States of America if located in the United States of America (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled **Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-APOPTOTIC Mc1-1 VARIANT** by inventors Ruth W. Craig; Craig D. Bingle and Dr. Moira Whyte as described in

- ☐ the specification filed herewith  
☒ application Serial No. \_\_\_\_\_ filed January 14, 2000 Serial No. 09/483,184  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

**NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

Full Name \_\_\_\_\_

Address \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name \_\_\_\_\_

Address \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE IN ORGANIZATION

ADDRESS OF PERSON SIGNING

SIGNATURE

*John F. Kavanagh*  
**John F. Kavanagh, Ph.D.**

**Director**

Office of Grants & Contracts

DATE

*1/25/00*

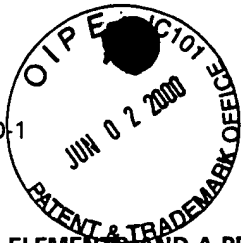
Attorney Dock t No.: DART1110-1

Applicant: Ruth W. Craig et al.

Serial No.: 09/483,184

Filed: January 14, 2000

Title: **Mc1-1 GENE REGULATORY ELEMENTS AND A PRO-APOPTOTIC Mc1-1 VARIANT**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: **The University of Sheffield Medical School**  
ADDRESS OF ORGANIZATION: **Royal Hallamshire Hospital**  
**Sheffield, S10 2JF United Kingdom**

**TYPE OF ORGANIZATION**

- ☒ University or other Institution of Higher Education  
☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3))  
☐ Nonprofit Scientific or Educational under Statute of State of the United States of America (Name of State \_\_\_\_\_) (Citation of Statute \_\_\_\_\_)  
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If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

Full Name \_\_\_\_\_

Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name \_\_\_\_\_

Address \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

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NAME OF PERSON SIGNING Dr. Richard Anthony Exley  
TITLE IN ORGANIZATION Intellectual Property Manager  
ADDRESS OF PERSON SIGNING Research & Consultancy Office, University of Sheffield 85 Wilkinson St  
SIGNATURE  DATE 7 February 2000

Sheffield S10 2GJ, England